

United States District Court

for

District of Guam

FILED
DISTRICT COURT OF GUAM

JUL 24 2006

MARY L.M. MORAN
CLERK OF COURT

**Report for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearings is Attached)

Name of Offender: **Frank S. Santos**

Case Number: **CR 95-00146-001**

Name of Sentencing Judicial Officer: **Honorable Ricardo S. Martinez**

Date of Original Sentence: **June 14, 2005**

Original Offense: **Count I: Conspiracy to Commit Wire Fraud, in violation of 18 U.S.C. §§371 and 1343.
Count II: Conspiracy to Commit Money Laundering, in violation of 18 U.S.C. §§1956(a)(1)(I) and 1956(h).**

Original Sentence: **A term of five years probation, with the following conditions: not commit another federal, state, or local crime; not possess a firearm, ammunition, destructive device, or any other dangerous weapon; comply with the standard conditions of probation as set forth by the U.S. Probation Office; not possess, use, or administer any controlled substances unless prescribed by a physician; provide the Probation Officer access to any and all requested financial information; maintain gainful employment and continue to support his dependents; pay a \$100,000 fine within a period of six months; and pay a \$200 special assessment fee.**

Type of Supervision: **Probation**

Date Supervision: **June 14, 2005**

PETITIONING THE COURT

- ☐ To extend the term of supervision _____ years, for a total term _____ years.
- ☒ To modify the conditions of supervision as follows:

1. The six-month deadline for the full payment of the \$100,000 fine be modified and that the defendant shall continue to make payments at a rate of \$200 a month in accordance with a payment plan under the direction of the U.S. Probation Office.

ORIGINAL

CAUSE

On June 14, 2005, Frank S. Santos was sentenced by Designated Judge Ricardo S. Martinez for Count I: Conspiracy to Commit Wire Fraud, in violation of 18 U.S.C. §§271 and 1343; Count II: Conspiracy to Commit Money Laundering, in violation of 18 U.S.C. §1956(a)(1)(I) and 1956(h); and Count III: Forfeiture, 18 U.S.C. §982(a)(1) to a five-year probation term. At the time of sentencing, Mr. Santos was ordered to pay a \$100,000 fine within six months of his sentencing. Mr. Santos failed to make the deadline and the fine is still outstanding.

To date, Mr. Santos has paid his \$200 special assessment fee on June 16, 2005. He is self-employed and owns FSS Corporation d.b.a. ELDS Konstuaksion, a consulting and construction company. Mr. Santos has been making monthly payments of \$250 towards his fine since March 2006 and to date, has paid a total of \$750. He has been compliant with all other probation conditions.

This Officer respectfully requests that the Court modify Mr. Santos' mandatory conditions, pursuant to 18 U.S.C. § 3563, to allow him to be placed on a fine payment schedule of \$200 a month until he has satisfied his \$100,000 fine. Mr. Santos has agreed to the modification and executed a Waiver of Hearing to Modify Conditions of Probation form, which is attached.

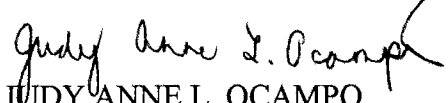
Reviewed by:

Respectfully submitted,


ROSSANNA VILLAGOEZ-AGUON

U.S. Probation Officer
Supervision Unit Leader

Date: 7/19/06

by: 
JUDY ANNE L. OCAMPO

U.S. Probation Officer

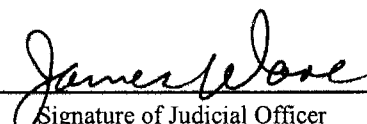
Date: 7/19/06

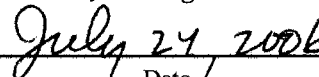
THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above.
- ☒ The Modification of Conditions as Noted Above.
- ☐ Other

RECEIVED
JUL 19 2006

**DISTRICT COURT OF GUAM
HAGATNA, GUAM**


Signature of Judicial Officer
JAMES WARE, Designated Judge


Date: 7/27/2006

United States District Court

for

District of Guam

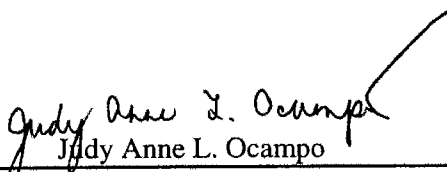
Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

1. **That the six-month deadline for the full payment of the \$100,000 fine be modified and that the defendant shall continue to make payments at a rate of \$200 a month in accordance with a payment plan under the direction of the U.S. Probation Office.**

Witness: _____


Judy Anne L. Ocampo
U.S. Probation Officer

Signed: _____


Frank S. Santos
Probationer or Supervised Releasee

7/6/06

Date